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9 Attorney for Defendant,
 10 PENTA WATER COMPANY, INC., a California
 11 corporation

12

13 **UNITED STATES DISTRICT COURT**
 14 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

15 PLAINFIELD DIRECT INC., a Delaware
 16 corporation, and CUNEO CAPITAL PARTNERS I
 17 LLC, a Connecticut limited liability company,

18 Plaintiffs,

19 v.

20 PENTA WATER COMPANY, INC., a California
 21 corporation,

22 Defendant.

23 Case No.: 08-CV-1350-LAB (NLS)

24 AMENDED PROOF OF SERVICE

25 Judge: Hon. Larry A. Burns

26 Complaint Filed: July 25, 2008

27 I am a resident of the State of California, over the age of eighteen years, and not a party to the
 28 within action. My business address is PROCOPIO, CORY, HARGREAVES & SAVITCH LLP,
 530 "B" Street, Suite 2100, San Diego, California 92101.

29 On August 15, 2008, I served the within documents:

30 **ANSWER OF PENTA WATER COMPANY, INC. TO COMPLAINT FOR**
 31 **BREACH OF CONTRACT, OPEN BOOK ACCOUNT, ACCOUNT STATED,**
 32 **AND MONEY LENT OR PAID**

33 by transmitting via facsimile number (619) 235-0398 the document(s) listed above to the
 34 fax number(s) set forth below on this date before 5:00 p.m. A copy of the transmission
 35 confirmation report is attached hereto.

36 by placing the document(s) listed above in a sealed envelope with postage thereon fully
 37 prepaid, in the United States mail at San Diego, California addressed as set forth below. I
 38 am readily familiar with the firm's practice of collection and processing correspondence
 39 for mailing. Under that practice it would be deposited with the U.S. Postal Service on the
 40 same day with postage thereon fully prepaid in the ordinary course of business. I am
 41 aware that on motion of the party served, service is presumed invalid if postal
 42 cancellation date or postage meter date is more than one day after date of deposit for
 43 mailing an affidavit.

1 by placing the document(s) listed above in a sealed overnight envelope and depositing it
 2 for overnight delivery at San Diego, California, addressed as set forth below. I am
 3 readily familiar with the practice of this firm for collection and processing of
 4 correspondence for processing by overnight mail. Pursuant to this practice,
 5 correspondence would be deposited in the overnight box located at 530 "B" Street, San
 6 Diego, California 92101 in the ordinary course of business on the date of this declaration.
 7

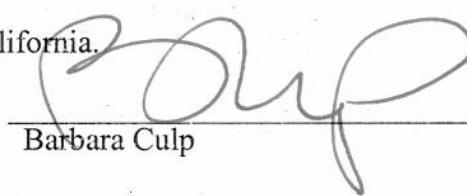
1 by causing personal delivery via Knox Attorney Service, Inc., c/o their affiliate, of the
 2 documents listed above to the person at the address set forth below.
 3

1 by the Court's Electronic Filing System pursuant to U.S. District Court, Southern
 2 District, Local Civil Rule 5.4(c)
 3

Marc T.G. Dworsky Katherine K. Huang Kristina L. Wilson Munger, Tolles & Olson LLP 355 South Grand Avenue, 35 th Floor Los Angeles, CA 90071-1560 (213) 683-9100/Fax: (213) 687-3702 <u>Marc.Dworsky@mto.com</u> <u>Katherine.Huang@mto.com</u> <u>Kristina.Wilson@mto.com</u>	Attorneys for Plaintiffs PLAINFIELD DIRECT INC., and CUNEO CAPITAL PARTNERS I LLC
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13 (State) I declare under penalty of perjury under the laws of the State of California that
 14 the above is true and correct.
 15 (Federal) I declare that I am employed in the office of a member of the bar of this court
 16 at whose direction the service was made.

17 Executed on August 15, 2008, at San Diego, California.



18 Barbara Culp